IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.1258 OF 2005

Chandra Mahendra Shah & ors. ... Petitioners
v/s.
Municipal Corporation of Greater Mumbai & ors. .. ... Respondents

Mr.L.H. Patil for petitioners.

Ms.A.K.Savla for res.No.1.

Ms.Saumya Srikrishna i/by Crawford Bayley & Co. for res.No.2.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 29TH APRIL 2005

P.C. :

1. Heard the learned Counsel for the parties.

2. The petitioners, who are tenants, are making grievances against respondent No.3-landlord. However, independent of those grievances, two requests are made, one is against the 1st respondent-Municipal Corporation, namely, that the Municipal Corporation ought to make available a separate water connection to the petitioners. The provision of Section 29(7) of the Maharashtra Rent Control Act, 1999 is pressed

into service. We do not see any reason as to why such application, if made by the tenants, should not be considered by the Municipal Corporation. Secondly, the petitioners are asking for a separate power connection. Ms.Soumya Srikrishna appearing for respondent No.2 states that if the petitioners apply for a separate power connection and comply with the necessary requirements, such an application will be entertained. All that we expect is that before any decision is taken either by the Municipal Corporation or the BEST Undertaking, they will give a notice to respondent No.3 informing about the proposed action. Mr.Patil appearing for the petitioners informs that respondent No.3 has been served with the notice. The petitioners will make the necessary application to the appropriate department of the Municipal Corporation as well as to the BEST Undertaking. Petition is disposed of.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)